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COMMITTEE ON THE RIGHTS OF THE CHILD
Twenty-fifth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: United Kingdom of Great Britain and Northern Ireland - Overseas Territories

1. The Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland - Overseas Territories (CRC/C/41/Adds.7 and 9), received on 26 May 1999, at its 647th and 648th meetings (see CRC/C/SR.647-648), held on 21 September 2000, and adopted* the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report on the Overseas Territories, which followed the established guidelines, and the written replies to its list of issues (CRC/C/Q/UK-OT/1). The Committee is encouraged by the constructive, open and frank dialogue it had with the State party and welcomes the positive reactions to the suggestions and recommendations made during the discussion. The Committee expresses its satisfaction that the delegation included representatives from a number of the Overseas Territories who are directly involved in the implementation of the Convention, which allowed for a fuller assessment of the situation of the rights of children in the Territories.

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* At the 669th meeting, held on 6 October 2000.

B. Positive aspects

3. The Committee welcomes the efforts of the State party in the area of early childhood health, evident in the high rate of immunization (90-100 per cent coverage) and low incidence of vaccine preventable diseases, as well as the relatively low rate of infant and child mortality.

C. Factors and difficulties impeding the implementation of the Convention

4. The Committee acknowledges that the significant number of Overseas Territories, widely dispersed across the globe, have diverse cultures, as well as diverse levels of economic and social development and varying degrees of autonomy. The Committee also notes the remoteness of some of the territories and their vulnerability to natural disasters. In particular, the Committee notes the devastation caused by the eruption of the Soufriere Hills volcano in Montserrat, which destroyed approximately two thirds of the island. The Committee further notes that their small size and the limited availability of skilled human resources adversely affect the full implementation of the Convention in the Overseas Territories.

D. Subjects of concern and Committee recommendations

1. General measures of implementation

Extension of the Convention and reporting

5. The Committee is concerned that the Convention on the Rights of the Child has not yet been extended to all of the State party's Overseas Territories, including Gibraltar. The Committee is also concerned that while the United Kingdom's notification (7 September 1994) to the United Nations regarding the extension of the Convention to the Overseas Territories indicated that the Convention had been extended to Henderson, Ducie, Oeno and South Georgia and the South Sandwich Islands, the State party report does not include information on these Territories.

6. The Committee recommends that the State party submit, in it its next periodic report, information on the measures taken to extend the Convention to all the Territories within its jurisdiction. It also recommends that the State party take all appropriate measures to facilitate the timely submission of its reports on all of its Overseas Territories to which the Convention on the Rights of the Child has been extended.

Reservations to the Convention

7. The Committee is concerned that the reservations made by the State party with respect to articles 32 and 37 (c) of the Convention on the Rights of the Child have not yet been withdrawn and are still applicable to the Overseas Territories. It also notes with concern that the reservation to article 22 of the Convention made in respect to the Cayman Islands has not yet been withdrawn.

8. In the light of the 1993 Vienna Declaration and Programme of Action, the Committee encourages the State party to consider the possibility of reviewing the reservations with a view to their full withdrawal including with respect to all the Overseas Territories.

Legislation

9. The Committee notes that efforts have been made in a number of the Overseas Territories to introduce legislative reform and facilitate the implementation of the Convention. In this regard, the Committee notes that Bermuda has enacted the Children's Act (1998), the Child Abduction Act (1998), which gives effect to the Hague Convention on the Civil Aspects of Child Abduction, and the Domestic Violence (Protection Orders) Act (1997). The Cayman Islands have enacted the Maintenance Law (1996 Revisions), the Youth (Detention Facility) Order (1996) and the Youth Justice Law (1995). The Falkland Islands and St. Helena have both adopted a children's ordinance, in 1994 and 1996 respectively. The Committee notes with concern that the Children's Law in the Cayman Islands, enacted in 1995, has not been brought into force and that additional amendments are due to be made to the law. While the Committee notes the intention of a number of the Overseas Territories to introduce additional legislative reform, it remains concerned that domestic legislation in the Territories still does not fully reflect the principles and provisions of the Convention.

10. The Committee recommends that the State party undertake a legal compatibility review to ensure that domestic legislation in each of the Overseas Territories fully conforms with and positively reflects the principles and provisions of the Convention. The Committee encourages the Cayman Islands to reinforce its efforts to amend and bring into force its Children's Law. The Committee also encourages the adoption of comprehensive child rights codes in the Territories.

Coordination

11. The Committee notes that mechanisms for coordinating the implementation of the Convention have been established in Bermuda, the British Virgin Islands, Montserrat and St. Helena. However, it is concerned that similar efforts have not been made in all of the Overseas Territories. The Committee is also concerned that national plans of action for children have not yet been elaborated in the Territories. Concern is also expressed at the insufficient efforts made to involve non-governmental organizations (NGOs) in the coordination and implementation of the Convention.

12. The Committee recommends that the State party reinforce its efforts to ensure that adequate resources (human and financial) are allocated to facilitate the effective functioning of those coordinating mechanisms already established in the Overseas Territories and to assist further in establishing mechanisms in Territories where they have not yet been established. The Committee further encourages the Overseas Territories to undertake appropriate measures to elaborate and implement a national plan of action for children based on the principles and provisions enshrined in the Convention. The Territories are encouraged to take all appropriate measures to facilitate the inclusion of NGOs in the promotion and implementation of the Convention.

Data collection

13. The Committee notes with concern the lack of adequate data-collection mechanisms in most of the Overseas Territories to ensure the collection of disaggregated data on all aspects of the Convention and effectively to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children. In this context, the Committee notes that data collection in the Overseas Territories generally covers children up to the age of 15 years only.

14. The Committee recommends that a comprehensive system of data collection be introduced with respect to each of the Overseas Territories, incorporating all the areas covered by the Convention. Such a system should cover all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children with disabilities; children living in poverty; children in the juvenile justice system; children born out of wedlock; teenage mothers; sexually abused children; institutionalized children; and children living in isolated island communities.

Monitoring mechanisms

15. While the Committee notes the existence of the Human Rights Commission in Bermuda, the Child Protection Group in St. Helena and Complaints Commissioners in the British Virgin Islands and the Turks and Caicos Islands to handle complaints of violation of the rights of children, it is concerned that insufficient efforts have been made to establish focal points for children within these mechanisms. The Committee also notes the intention of the Cayman Islands to establish an Ombudsman. It is concerned that Anguilla, the Falkland Islands and Montserrat have not yet established independent mechanisms to register and address complaints from children concerning violations of their rights under the Convention.

16. The Committee recommends the establishment of child rights focal points within the human rights monitoring mechanisms in Bermuda, the British Virgin Islands, St. Helena and the Turks and Caicos Islands. Additionally, the Committee recommends that all appropriate measures be taken to ensure that these mechanisms are independent, child friendly and accessible to children. The Committee also encourages the establishment of independent, child-friendly monitoring mechanisms in the other Overseas Territories to deal with complaints of violations of the rights of children and to provide remedies for such violations. Such mechanisms should also include focal points for children. The Committee further suggests that awareness-raising campaigns should be undertaken to facilitate the effective use of monitoring mechanisms by children.

Budgetary allocations

17. The Committee is concerned that, in the light of article 4 of the Convention, not enough attention has been paid in allocating budgetary resources in favour of the implementation of the economic, social and cultural rights of children "to the maximum extent of ... available resources".

18. In the light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, to the maximum extent of available resources and, where needed, within the framework of international cooperation.

Dissemination of the principles and provisions of the Convention

19. The Committee is concerned that insufficient efforts have been made to disseminate the principles and provisions of the Convention and that professional groups, children, parents and the public at large are generally not sufficiently aware of the Convention and the rights-based approach enshrined therein.

20. The Committee recommends that greater effort be made to ensure that the provisions of the Convention are widely known and understood by adults and children alike. The Committee also recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges; lawyers; law enforcement personnel; teachers; school administrators; health personnel, including psychologists and social workers; and personnel of childcare institutions. Efforts should also be made to raise awareness among the media about the rights of children. The Committee further encourages the integration of the Convention into the curricula at all levels of the educational system in the Overseas Territories.

2. Definition of the child

21. The Committee expresses concern regarding the low legal age of criminal responsibility in the Overseas Territories (8-10 years). Concern is also expressed at the low minimum age for the consumption of alcohol in private in the Falkland Islands (5 years). Additionally, the Committee is concerned that the law in most of the Overseas Territories does not provide for the special protection and care of children who have attained the age of 17 years.

22. The Committee recommends a review of domestic legislation in the Overseas Territories, particularly as regards the legal age for criminal responsibility, to ensure full conformity with the provisions and principles of the Convention. It further recommends that existing legislation be reviewed so as to guarantee adequate protection and care for all children below the age of 18 years.

3. General principles

23. The Committee wishes to express its concern that the State party does not appear to have fully taken into account the provisions of the Convention, especially its general principles, as reflected in its articles 2 (non-discrimination), 3 (best interests of the child), 6 (survival and development) and 12 (respect for the views of the child), in its legislation, its administrative and judicial decisions, or in its policies and programmes relevant to children.

24. It is the Committee's view that further efforts should be undertaken to ensure that the principles of the Convention, in particular the general principles, not only guide policy discussion and decision-making, but are also appropriately integrated in all legal amendments as well as in judicial and administrative decisions and in projects, programmes and services which have an impact on children.

Non-discrimination

25. The Committees notes that the State party has requested the authorities of the Overseas Territories to consider the introduction of specific legislation against racial discrimination and that some of the Territories have acceded to that request. However, the Committee remains concerned that insufficient efforts have been made to ensure the full implementation of article 2 of the Convention and that discrimination based on gender, sexual orientation and birth status remains apparent in some of the Overseas Territories. In this regard, the Committee notes that legislation, relating to these issues, particularly with respect to sexual abuse and exploitation, as well as the legal minimum age for sexual consent, refers only to girls and does not provide equal and adequate protection for boys. Concern is expressed at the growing gender bias faced by boys evident, inter alia, in their academic underachievement in many of the Overseas Territories, especially the Falkland Islands and the Territories in the Caribbean. The Committee also notes the disparity between the ages for sexual consent to heterosexual and homosexual relations in some of the Overseas Territories. The Committee expresses concern that insufficient effort has been made in many of the Territories to prevent discrimination against teenage mothers and children born out of wedlock.

26. The Committee recommends review of domestic legislation in the Overseas Territories to ensure full compliance with article 2 of the Convention and to prevent and combat discrimination, especially as regards gender, sexual orientation and birth status. In particular, the Territories should amend their legislation to ensure that boys are provided equal and adequate protection against sexual abuse and exploitation. Additionally, the Committee recommends that all appropriate measures be taken to address discrimination arising from the socialization of boys and girls into inappropriate gender roles and the resulting determination of social attitudes concerning children based on gender.

Respect for the views of the child

27. The Committee notes that in many of the Overseas Territories efforts have been made to ensure respect for the views of the child in family courts, in accordance with his or her evolving capacity. However, it is concerned that insufficient efforts have been made in many of the Overseas Territories to ensure the full implementation of article 12 of the Convention.

28. The Committee recommends that the Overseas Territories seek to reinforce the necessary infrastructure and develop a systematic approach to increasing public awareness of the participatory rights of children and encourage respect for the views of the child within the family, communities, schools and care, administrative and judicial systems.

4. Family environment and alternative care

Parental guidance and responsibility

29. The Committee notes with concern the large number of single parent families in the Overseas Territories, especially in Bermuda and the Territories in the Caribbean. The Committee also expresses concern at the apparent lack of legal protection with respect to the rights, including maintenance and inheritance rights, of children born out of wedlock from "visiting" or "common law" relationships in these Territories. The Committee expresses further concern regarding the financial and psychological impact of visiting relationships on children. The lack of sufficient support and counsel in the areas of parental guidance and responsibilities are also matters of particular concern. The Committee also notes with concern that the high rate of migration from the Territories in the Caribbean has also negatively affected parental responsibility and guidance.

30. The Overseas Territories are encouraged to increase their efforts in developing family education and awareness through, inter alia, providing support, including training for parents, parenting and in exercising joint parental responsibilities, in the light of article 18 of the Convention. The Committee also recommends that the Overseas Territories take all appropriate measures, including of a legal nature, to ensure that the rights of children born out of wedlock are protected. The Committee further recommends that the State party undertake a study on the situation of single parent families and visiting relationships in the Caribbean Territories and the impact (both financial and psychological) on children.

Alternative care

31. While the Committee notes that legal and administrative processes have been established in all of the Overseas Territories to provide alternative care for children, it is concerned about the insufficient monitoring of placements in some of the alternative care programmes. While the Committee notes that children from the Turks and Caicos Islands who cannot be placed locally with a relative or willing independent person are no longer sent to alternative care institutions in Jamaica, it is concerned at the lack of information about the current situation of alternative care facilities in the Turks and Caicos Islands. Concern is expressed about the insufficiency of independent complaint mechanisms for children in alternative care institutions, as well as the lack of available trained personnel in this field. Concern is also expressed at the continued practice of informal adoption in some of the Overseas Territories.

32. The Committee recommends that additional training, including in children's rights, be provided for social and welfare workers and that independent complaints mechanisms be established for children in those Territories where there are alternative care institutions. The Committee also recommends that consideration be given to the establishment of a code of standards to ensure the adequate care and protection of children deprived of a family environment. In the light of articles 3 and 20 of the Convention, the Committee recommends a review of the alternative care programme in the Turks and Caicos Islands with a view to ensuring the best interests of the child. In the light of article 21 of the Convention, the Committee recommends that the monitoring procedures for foster care

and domestic and intercountry adoptions be strengthened. Additionally, all appropriate measures should be taken to monitor the practice of informal adoption and to prevent abuse in this regard. The Committee encourages the United Kingdom to consider extending the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption to the Overseas Territories.

Domestic violence, ill-treatment and abuse

33. The Committee notes the efforts of some of the Territories, in particular Bermuda, the Cayman Islands and the Falkland Islands, to provide greater protection and support to child victims of abuse and to introduce training for professionals, including police officers, working with and for child victims of abuse. However, the Committee expresses its concern at the increasing incidence and lack of awareness of and information on domestic violence, ill-treatment and abuse of children, including sexual abuse. Concern is also expressed at the insufficient financial and human resources allocated, as well as the inadequate programmes established, to prevent and combat these concerns in many of the Territories. The Committee notes with concern that the Overseas Territories, with the exception of Bermuda, have not introduced mandatory reporting of ill-treatment and abuse of children. While the Committee is aware of the limitations of the Territories, primarily with respect to small size, it is concerned that insufficient efforts have been made to protect the right to privacy of child victims of abuse.

34. In the light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and sexual abuse in order to adopt adequate policy measures and contribute to changing traditional attitudes in all Overseas Territories. The Committee also recommends that all appropriate measures be taken to introduce effective mechanisms for the timely reporting of ill-treatment and abuse of children. It further recommends that cases of domestic violence, ill-treatment and sexual abuse of children be properly investigated within a child-friendly judicial procedure, and sanctions applied to perpetrators, due regard being given to protecting the right to privacy of the child. Measures should also be taken to ensure the physical and psychological recovery and social reintegration of victims, in accordance with article 39 of the Convention, and prevention of the criminalization and stigmatization of victims.

Corporal punishment

35. The Committee expresses grave concern that corporal punishment is still widely practised in many of the Overseas Territories and that domestic legislation generally does not prohibit and eliminate its use in schools, care institutions and homes. It also notes with concern that the British Virgin Islands is the only remaining Territory that has not yet prohibited by law the use of judicial corporal punishment.

36. The Committee recommends that all appropriate measures, including of a legislative nature, be taken to prohibit and eliminate all forms of corporal punishment within the school, juvenile justice and alternative care systems and in the home. The Committee further suggests that awareness raising and education campaigns be conducted

to change public attitudes and ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28.2.

5. Basic health and welfare

Adolescent health

37. The Committee notes that the Caribbean Overseas Territories, including Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands, as well as Bermuda, took part in the Caribbean Youth Summit on Adolescent Sexual and Reproductive Health Rights, held in Barbados in 1998. The Committee expresses its concern with respect to the insufficient programmes and services and the lack of adequate data in the area of adolescent health, including teenage pregnancy, abortion, HIV/AIDS and sexually transmitted diseases (STDs), drug abuse, violence a[illegible] mental illnesses. The Committee is particularly concerned at the high incidence of teenage pregnancy, particularly in the Territories in the Caribbean.

38. The Committee encourages those Territories that took part in the Caribbean Youth Summit on Adolescent Sexual and Reproductive Health Rights to follow up and, where appropriate, seek to implement the recommendations made at the Summit. The Committee recommends that all appropriate measures be taken to increase the promotion of adolescent health policies and strengthen reproductive health education, including the promotion of male acceptance of the use of contraceptives. The Committee further suggests that a comprehensive and multi-disciplinary study be undertaken to understand the scope of adolescent health problems, including the special situation of children infected with, affected by or vulnerable to HIV/AIDS and STDs. Additionally, it is recommended that the State party undertake further measures, including the allocation of adequate human and financial resources, to develop youth-friendly care, counselling, and rehabilitation services for adolescents in all the Overseas Territories.

Disabilities

39. The Committee notes the efforts of the Overseas Territories, in particular Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands and St. Helena, to establish programmes for children with disabilities, including early intervention and school integration programmes. The Committee expresses concern, however, at the absence of legal protection and the inadequate facilities and services for children with disabilities. The Committee also notes with particular concern that since the volcano crisis in Montserrat, the trained special education teachers have migrated from the island.

40. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, chap. IV.D), the Committee recommends that additional efforts be made to establish and/or enhance early identification programmes to prevent disabilities; to implement alternatives to the institutionalization of children with disabilities; to establish special education programmes for children with disabilities; and to encourage

their inclusion in society. The Committee further recommends that all appropriate measures be taken to ensure that adequate resources are allocated for the effective implementation of programmes for children with disabilities. Additional training for professional staff working with and for children with disabilities is also recommended. The Committee recommends that the State party take all appropriate measures to facilitate the recruitment and training of special education teachers in Montserrat.

Right to an adequate standard of living

41. While the Committee is aware of the relatively high standard of living enjoyed by most of the Overseas Territories, it is concerned that the standard of living in Montserrat has decreased significantly since the volcanic eruption which destroyed two thirds of the island. While it is noted with appreciation that all the families with children have been moved from shelters and provided with homes, the Committee is concerned about the psychological impact of the disaster on children. While the Committee notes that two new primary schools and a new hospital have been built, it is concerned that the programmes and services for children have not yet been fully restored since the volcanic eruption. Additionally, the Committee is concerned that the children living in Anguilla, St. Helena and its dependencies, and the Turks and Caicos Islands do not enjoy an equal and adequate standard of living, as compared with children living in the other Overseas Territories.

42. In accordance with article 27 of the Convention, the Committee encourages the State party to increase its efforts to provide material assistance and support to economically disadvantaged families and to guarantee the right of children to an adequate standard of living, especially those affected by the disaster in Montserrat and those living in Anguilla, St. Helena and its dependencies, and the Turks and Caicos Islands. The Committee encourages the State party to undertake a study to assess the impact, including the psychological impact, of the disaster on the children of Montserrat, with a view to ensuring adequate support and where necessary, counselling for children and parents.

6. Education, leisure and cultural activities

43. While recognizing the efforts made by the State party in the area of education, the Committee remains concerned at the increasing incidence of truancy and the number of drop-outs from school in some of the Territories, especially the Turks and Caicos Islands and Montserrat. With regard to access to education, the Committee notes with concern that the travelling teacher service in the Falkland Islands does not include secondary schools and that children from Camp must attend secondary school in Stanley, where they are accommodated in government hostels for which their parents must pay. The Committee also notes with concern the academic under-achievement of boys in some of the Overseas Territories, including the Falkland Islands and the Caribbean Territories. Concern is also expressed that while the new nationality policy of the United Kingdom provides full citizenship to nationals of the Overseas Territories, students from these Territories who wish to pursue further studies in the United Kingdom continue to pay more in tuition fees than students from the United Kingdom.

44. The Committee recommends that all appropriate measures be taken to prevent and discourage truancy and further to encourage children, especially boys, to stay in school,

46. The Committee recommends that the State party take all appropriate measures to improve the situation of internally displaced families, including their access to adequate housing, education and health services. The Committee recommends that the State party submit, in its next periodic report, information concerning the situation of families that have left Montserrat to take refuge in neighbouring countries and Territories, and the arrangements made (at the bilateral or regional levels) to facilitate their transition. In this connection, the Committee further recommends that the State party also provide information on the situation of those families from Montserrat who have settled in the United Kingdom as a result of the disaster.

48. The Committee strongly recommends that the State party take all appropriate measures to locate and clear the landmines in the Falkland Islands, promote awareness about the potential dangers and prevent accidents involving children and landmines. The Committee encourages the State party to consider extending the 1997 Convention on the Prohibition of the Use, Production, Transfer and Stockpiling of Anti-Personnel Landmines and on Their Destruction to the Overseas Territories, in particular the Falkland Islands.

Child labour

49. In the light of the socio-economic situation in some of the more economically disadvantaged Overseas Territories and the high truancy rate, particularly for males, the Committee is concerned about the lack of information and adequate data on the situation of child labour and economic exploitation in the Overseas Territories.

50. The Committee recommends that the State party undertake a comprehensive study to assess the situation of child labour in the Overseas Territories. Additionally, the State party is encouraged to introduce and/or strengthen, where appropriate, monitoring mechanisms to ensure the enforcement of labour laws and to protect children from economic exploitation, particularly within the informal sectors in these Territories. The Committee suggests that the State party consider extending to the Overseas Territories ILO Convention No. 182 concerning the Elimination of the Worst Forms of Child Labour. The Committee further suggests that the State party consider extending to the Overseas Territories ILO Convention No. 138 concerning Minimum Age for Admission to Employment.

Drug and substance abuse

51. The Committees notes the efforts of the State party at both the national and regional levels regarding drug demand reduction and narcotics control. However, the Committee remains concerned at the high incidence of drug and substance abuse, particularly among youth in Bermuda and the Caribbean Overseas Territories. Concern is also expressed at the insufficient medical and rehabilitative programmes and services available to child victims of drug and substance abuse.

52. In the light of article 33 of the Convention, the Committee recommends that the State party enhance its efforts, including through administrative, social and educational means, to protect children from the illicit use of narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. It encourages the State party to strengthen its rehabilitation programmes for child victims of drug and substance abuse.

Sexual exploitation and sexual abuse

53. The Committee notes with concern the lack of information concerning the situation of commercial sexual exploitation of children, including prostitution and pornography. The Committee also notes that lack of programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation, particularly in Bermuda and some of the Caribbean Territories, where there is apparent cause for concern.

54. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to understanding the scope of the problem and implementing appropriate policies and measures, including for the physical and psychological recovery and social reintegration of victims. The Committee

recommends that the State party take into account the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.

Juvenile justice

55. The Committee notes that legislation relating to juvenile justice has been enacted in all of the Overseas Territories. While the Committee appreciates the legal abolition of judicial corporal punishment in most of the Overseas Territories, it is concerned that the bill to abolish it in the British Virgin Islands has not yet been enacted. The Committee also expresses concern about:

(a) The length of time before the hearing of juvenile cases; the lack of confidentiality accorded in cases involving juveniles; the holding of minors in adult detention facilities; the inadequacy of facilities for children in conflict with the law, including girls; the insufficient numbers of trained personnel to work with children in this regard; and the lack of legal aid programmes;

(b) The inadequate access to education, health, counselling and other rehabilitative services; and the lack of a complaints mechanism for children whose rights have been violated.

56. The Committee recommends, with regard to the Overseas Territories, that the State party:

(a) Take additional steps to reform the juvenile justice system in the spirit of the Convention, in particular articles 37, 40 and 39, and of other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(b) Consider deprivation of liberty only as a measure of last resort, for the shortest possible time and only for serious offences; protect the rights of children deprived of their liberty, including the right to privacy; ensure that children remain in contact with their families while in the juvenile justice system; ensure that children are provided adequate access to education, health, counselling and other rehabilitative services; and introduce complaints mechanisms for children whose rights have been violated;

(c) Introduce training programmes on relevant international standards for all those professionals involved with the juvenile justice system.

57. The Committee further recommends that the British Virgin Islands reinforce efforts to enact the bill introduced into the Legislative Council to abolish the use of judicial corporal punishment in the islands.

8. Ratification of the Optional Protocols

58. The Committee recommends that the State party consider ratifying and extending to the Overseas Territories the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

9. Dissemination of documents from the reporting process

59. The Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the concluding observations adopted thereon by the Committee and the relevant summary records. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.